



IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

ANTHONY JOSEPH TURNER, )  
Plaintiff, ) Civil Action No. 7:07-cv-00150  
)  
v. )  
DR. JOHN BENCH, et al., )  
Defendants. )  
)  
By: Hon. James C. Turk  
Senior United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

**ADJUDGED AND ORDERED**

that plaintiff's submissions in this case are construed as an application to proceed in forma pauperis and are hereby **DENIED**, as plaintiff fails to demonstrate that he is in imminent danger of serious physical harm; the action is hereby **DISMISSED** without prejudice, pursuant to 28 U.S.C. § 1915(g), and stricken from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to plaintiff and to counsel of record for the defendants.

ENTER: This 31<sup>st</sup> day of March, 2007.

*James C. Turk*  
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Senior United States District Judge